IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.S.RADHAKRISHNAN
&
THE HONOURABLE MR. JUSTICE A.K.BASHEER

WEDNESDAY, THE 26TH SEPTEMBER 2007 / 4TH ASWINA 1929

MFA.No. 118 of 2006

TA.49/2000 of RAILWAY CLAIMS TRIBUNAL, ERNAKULAM
.....

APPELLANT: RESPONDENT IN R.C.T.

UNION OF INDIA, REP. BY THE GENERAL
MANAGER, WESTERN RAILWAY, CHURCH GATE,
BOMBAY.

BY ADV. SRI.M.C.CHERIAN,SR.SC.,RAILWAYS

RESPONDENTS:
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1. P.C.RAKIA, S/O.CHITTAVELU,
PURAPPURTHU, VELLAKKADAVU P.O.
VANDIPERIYAR VIA, IDUKKI 685 533.

2. CHELLATHAI, W/O.RAKIA,
PURAPPURATHU, VELLAKKADAVU P.O.
VANDIPERIYARVIA, IDUKKI 685 533.

3. JAYALAKSHMI,
D/O.RAKIA, PURAPPURATHU, VALLAKKADAVU PO,
VNDIPERIYAR VIA, IDUKKI 685 533.

4. R,PRAKASAN, S/O.RAKIA,
PURPPURATHU, VALLAKKADAVU PO,
VANDIPERIYAR VIA, IDUKKI 685 533.

BY ADV. SRI.P.BABU KUMAR

THIS MISC. FIRST APPEAL HAVING BEEN FINALLY HEARD ON 26/09/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

K.S. RADHAKRISHNAN & A.K.BASHEER, JJ.

C.M. Application No 1166 of 2006
and M. F. A. No 118 of 2006

Dated: 26th September 2007

JUDGMENT

Radhakrishnan, J.

There is a delay of 215 days in filing the appeal. We have perused the affidavit filed in support of the affidavit. Sufficient ground has not been made out to condone the delay.

2. The only ground raised in the appeal is with regard to the direction of the Tribunal to pay interest from the date of registration of the case till payment. The point is already covered by the decision of a Division Bench of this court in Union of India v. Brigeet Chacko (2007 (3) KLT 603). We therefore find no case on merits also. The petition to condone the delay is dismissed. Consequently, appeal also would stand dismissed.

Sd/-
K.S. RADHAKRISHNAN
Judge

Sd/-
A.K. BASHEER
Judge

26/09/2007
en

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